

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARK MCCLARY,

Petitioner,

v.

JON D. FISHER, et al.,

Respondents.

CIVIL ACTION
NO. 13-4938

ORDER

AND NOW, this 27th day of May, 2016, upon careful and independent consideration of the petition for writ of *habeas corpus*, after review of the report and recommendation of United States Magistrate Judge Marilyn Heffley, and for the additional reasons stated in the accompanying memorandum concerning Petitioner's objections to the report and recommendation, it is hereby **ORDERED** as follows:

1. The report and recommendation is APPROVED and ADOPTED.
2. The petition for writ of *habeas corpus* is DISMISSED with prejudice.
3. There is no basis on which to issue a certification of appealability.
4. The Clerk of the Court shall mark this case closed for statistical purposes.

BY THE COURT:

/s/ Jeffrey L. Schmehl
Jeffrey L. Schmehl, J.